

the availability of space and facilities and the capabilities of the medical and dental staff.

(4) After 4 rounds of base closures between 1988 and 1995 and further drawdowns of remaining military medical treatment facilities, access to "space available" health care in a military medical treatment facility is virtually nonexistent for many military retirees.

(5) The military health care benefit of "space available" services and Medicare is no longer a fair and equitable benefit as compared to benefits for other retired Federal employees.

(6) The failure to provide adequate health care upon retirement is preventing the retired members of the uniformed services from recommending, without reservation, that young men and women make a career of any military service.

(7) The United States should establish health care that is fully paid by the sponsoring agency under the Federal Employees Health Benefits program for members who entered active duty on or prior to June 7, 1956, and who subsequently earned retirement.

(8) The United States should reestablish adequate health care for all retired members of the uniformed services that is at least equivalent to that provided to other retired Federal employees by extending to such retired members of the uniformed services the option of coverage under the Federal Employees Health Benefits program, the Civilian Health and Medical Program of the uniformed services, or the TRICARE Program.

SEC. 3. COVERAGE OF MILITARY RETIREES UNDER THE FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM.

(a) **EARNED COVERAGE FOR CERTAIN RETIREES AND DEPENDENTS.**—Chapter 89 of title 5, United States Code, is amended—

(1) in section 8905, by adding at the end the following new subsection:

"(h) For purposes of this section, the term 'employee' includes a retired member of the uniformed services (as defined in section 101(a)(5) of title 10) who began service before June 7, 1956. A surviving widow or widower of such a retired member may also enroll in an approved health benefits plan described by section 8903 or 8903a of this title as an individual."; and

(2) in section 8906(b)—

(A) in paragraph (1), by striking "paragraphs (2) and (3)" and inserting "paragraphs (2) through (5)"; and

(B) by adding at the end the following new paragraph:

"(5) In the case of an employee described in section 8905(h) or the surviving widow or widower of such an employee, the Government contribution for health benefits shall be 100 percent, payable by the department from which the employee retired."

(b) **COVERAGE FOR OTHER RETIREES AND DEPENDENTS.**—(1) Section 1108 of title 10, United States Code, is amended to read as follows:

"§ 1108. Health care coverage through Federal Employees Health Benefits program

"(a) **FEHBP OPTION.**—The Secretary of Defense, after consulting with the other administering Secretaries, shall enter into an agreement with the Office of Personnel Management to provide coverage to eligible beneficiaries described in subsection (b) under the health benefits plans offered through the Federal Employees Health Benefits program under chapter 89 of title 5.

"(b) **ELIGIBLE BENEFICIARIES; COVERAGE.**—(1) An eligible beneficiary under this subsection is—

"(A) a member or former member of the uniformed services described in section 1074(b) of this title;

"(B) an individual who is an unremarried former spouse of a member or former member described in section 1072(2)(F) or 1072(2)(G);

"(C) an individual who is—

"(i) a dependent of a deceased member or former member described in section 1076(b) or 1076(a)(2)(B) of this title or of a member who died while on active duty for a period of more than 30 days; and

"(ii) a member of family as defined in section 8901(5) of title 5; or

"(D) an individual who is—

"(i) a dependent of a living member or former member described in section 1076(b)(1) of this title; and

"(ii) a member of family as defined in section 8901(5) of title 5.

"(2) Eligible beneficiaries may enroll in a Federal Employees Health Benefits plan under chapter 89 of title 5 under this section for self-only coverage or for self and family coverage which includes any dependent of the member or former member who is a family member for purposes of such chapter.

"(3) A person eligible for coverage under this subsection shall not be required to satisfy any eligibility criteria specified in chapter 89 of title 5 (except as provided in paragraph (1)(C) or (1)(D)) as a condition for enrollment in health benefits plans offered through the Federal Employees Health Benefits program under this section.

"(4) For purposes of determining whether an individual is a member of family under paragraph (5) of section 8901 of title 5 for purposes of paragraph (1)(C) or (1)(D), a member or former member described in section 1076(b) or 1076(a)(2)(B) of this title shall be deemed to be an employee under such section.

"(5) An eligible beneficiary who is eligible to enroll in the Federal Employees Health Benefits program as an employee under chapter 89 of title 5 is not eligible to enroll in a Federal Employees Health Benefits plan under this section.

"(6) An eligible beneficiary who enrolls in the Federal Employees Health Benefits program under this section shall not be eligible to receive health care under section 1086 or section 1097. Such a beneficiary may continue to receive health care in a military medical treatment facility, in which case the treatment facility shall be reimbursed by the Federal Employees Health Benefits program for health care services or drugs received by the beneficiary.

"(c) **CHANGE OF HEALTH BENEFITS PLAN.**—An eligible beneficiary enrolled in a Federal Employees Health Benefits plan under this section may change health benefits plans and coverage in the same manner as any other Federal Employees Health Benefits program beneficiary may change such plans.

"(d) **GOVERNMENT CONTRIBUTIONS.**—The amount of the Government contribution for an eligible beneficiary who enrolls in a health benefits plan under chapter 89 of title 5 in accordance with this section may not exceed the amount of the Government contribution which would be payable if the electing beneficiary were an employee (as defined for purposes of such chapter) enrolled in the same health benefits plan and level of benefits.

"(e) **SEPARATE RISK POOLS.**—The Director of the Office of Personnel Management shall require health benefits plans under chapter 89 of title 5 to maintain a separate risk pool for purposes of establishing premium rates for eligible beneficiaries who enroll in such a plan in accordance with this section."

(2) The item relating to section 1108 at the beginning of such chapter is amended to read as follows:

"1108. Health care coverage through Federal Employees Health Benefits program."

(3) The amendments made by this subsection shall take effect on January 1, 2001.

SEC. 4. EXTENSION OF COVERAGE OF CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES.

Section 1086 of title 10, United States Code, is amended—

(1) in subsection (c), by striking "Except as provided in subsection (d), the", and inserting "The";

(2) by striking subsection (d); and

(3) by redesignating subsections (e) through (h) as subsections (d) through (g), respectively.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. ROBB, his name was added as a cosponsor of S. 146, a bill to amend the Controlled Substances Act with respect to penalties for crimes involving cocaine, and for other purposes.

S. 162

At the request of Mr. BREAU, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 162, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 398

At the request of Mr. CAMPBELL, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 398, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

S. 484

At the request of Mr. CAMPBELL, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 522

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 522, a bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes.

S. 569

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 569, a bill to amend the internal revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income.

S. 662

At the request of Mr. CHAFEE, LINCOLN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 663

At the request of Mr. ROBB, his name was added as a cosponsor of S. 663, a bill to impose certain limitations on the receipt of out-of-State municipal solid waste, to authorize State and local controls over the flow of municipal solid waste, and for other purposes.

S. 664

At the request of Mr. CHAFEE, LINCOLN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 693

At the request of Mr. HELMS, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 758

At the request of Mr. ASHCROFT, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 758, a bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes.

S. 784

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 796

At the request of Mr. WELLSTONE, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 796, a bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of

mental illness-related hospital days and outpatient visits that are covered for all mental illnesses.

S. 818

At the request of Mr. DEWINE, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 820

At the request of Mr. CHAFEE, LINCOLN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 872

At the request of Mr. ROBB, his name was added as a cosponsor of S. 872, a bill to impose certain limits on the receipt of out-of-State municipal solid waste, to authorize State and local controls over the flow of municipal solid waste, and for other purposes.

S. 956

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 956, a bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1028

At the request of Mr. HATCH, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1028, a bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law, and for other purposes.

S. 1172

At the request of Mr. CLELAND, his name was withdrawn as a cosponsor of S. 1172, a bill to provide a patent term restoration review procedure for certain drug products.

S. 1378

At the request of Mr. GRAMS, his name was added as a cosponsor of S.

1378, a bill to amend chapter 35 of title 44, United States Code, for the purposes of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, and for other purposes.

S. 1472

At the request of Mr. SARBANES, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1472, a bill to amend chapters 83 and 84 of title 5, United States Code, to modify employee contributions to the Civil Service Retirement System and the Federal Employees Retirement System to the percentages in effect before the statutory temporary increase in calendar year 1999, and for other purposes.

S. 1526

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1526, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit to taxpayers investing in entities seeking to provide capital to create new markets in low-income communities.

S. 1696

At the request of Mr. MOYNIHAN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1696, a bill to amend the Convention on Cultural Property Implementation Act to improve the procedures for restricting imports of archaeological and ethnological material.

S. 1715

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1715, a bill to provide for an interim census of Americans residing aboard, and to require that such individuals be included in the 2010 decennial census.

S. 1754

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1754, a bill entitled the "Denying Safe Havens to International and War Criminals Act of 1999."

S. 1851

At the request of Mr. CAMPBELL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1851, a bill to amend the Elementary and Secondary Education Act of 1965 to ensure that seniors are given an opportunity to serve as mentors, tutors, and volunteers for certain programs.

S. 1873

At the request of Mr. SESSIONS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1873, a bill to delay the effective date of the final rule regarding the Organ Procurement and Transplantation Network.

S. 1957

At the request of Mr. SCHUMER, the name of the Senator from New Jersey

(Mr. LAUTENBERG) was added as a cosponsor of S. 1957, a bill to provide for the payment of compensation to the families of the Federal employees who were killed in the crash of a United States Air Force CT-43A aircraft on April 3, 1996, near Dubrovnik, Croatia, carrying Secretary of Commerce Ronald H. Brown and 34 others.

S. 1961

At the request of Mr. JOHNSON, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1961, a bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve.

S. 1991

At the request of Mr. GRAMS, his name was added as a cosponsor of S. 1991, a bill to amend the Federal Election Campaign Act of 1971 to enhance criminal penalties for election law violations, to clarify current provisions of law regarding donations from foreign nationals, and for other purposes.

S. RES. 87

At the request of Mr. DURBIN, the names of the Senator from Tennessee (Mr. THOMPSON) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. Res. 87, a resolution commemorating the 60th Anniversary of the International Visitors Program.

SENATE RESOLUTION 242—NOTIFYING THE PRESIDENT THAT THE SENATE IS READY TO PROCEED TO BUSINESS

Mr. LOTT submitted the following resolution; which was considered and agreed to:

S. RES. 242

Resolved, That the Secretary of the Senate inform the President of the United States that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

SENATE RESOLUTION 243—NOTIFYING THE HOUSE THAT THE SENATE IS READY TO PROCEED TO BUSINESS

Mr. LOTT submitted the following resolution; which was considered and agreed to:

S. RES. 243

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

SENATE RESOLUTION 244—EXPRESSING SYMPATHY FOR THE VICTIMS OF THE TRAGIC FIRE AT SETON HALL UNIVERSITY IN SOUTH ORANGE, NJ, ON JANUARY 19, 2000

Mr. LAUTENBERG (for himself and Mr. TORRICELLI) submitted the following resolution; which was considered and agreed to:

S. RES. 244

Whereas at approximately 4:30 a.m. on January 19, 2000, a fire broke out in the com-

mons area on the third floor of Boland Hall, a six story residence hall housing 600 students at Seton Hall University, and this fire took the lives of three students—Frank S. Caltabilota of West Long Beach, New Jersey, John N. Giunta of Vineland, New Jersey and Aaron C. Karol of Green Brook, New Jersey, and, in addition, 58 persons were injured including 54 students, two South Orange firefighters and two South Orange police officers;

Whereas numerous Seton Hall students risked their own lives as the fire broke out to save the lives of their fellow dormitory residents;

Whereas firefighters, paramedics, police officers and other emergency personnel from the surrounding communities worked bravely into the early morning darkness to reduce casualties and extinguish the fire;

Whereas the entire Seton Hall University community has banded together in grief to remember the fallen students, and numerous people outside the university recognize the enormity of this tragedy and the need to do everything possible to keep it from happening again since every student should be able to pursue an education in a safe, secure environment: Now, therefore be it

Resolved, That the Senate—

(1) expresses its sympathy to the families and friends of Frank S. Caltabilota, John N. Giunta and Aaron C. Karol on the occasion of the funeral service on January 25, 2000;

(2) expresses its hope for a speedy recovery to those students, firefighters and police officers injured in the fire;

(3) expresses its support for all of the students, faculty and staff at Seton Hall University as they heal from the tragedy;

(4) expresses its support and thanks to the brave firefighters, paramedics, police and other emergency workers who saved numerous lives;

(5) pledges to ensure that Federal, State and local government entities work together to prevent a tragedy like this from occurring again, so that our nation's college students can live, work and study in the safest possible environment.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Tuesday, January 25, 2000, 10 a.m., in SH-216 of the Senate Hart Building. The subject of the hearing is "Reducing Medical Error: A look at the Iom report." For further information, please call the committee, 202/224-5375.

SUBCOMMITTEE ON EMPLOYMENT, SAFETY, AND TRAINING

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Subcommittee on Employment, Safety, and Training, Senate Committee on Health, Education, Labor, and Pensions will be held on Tuesday, January 25, 2000, 2:30 p.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is "Safe at Home: OSHA and the Modern Day Workplace." For further information, please call the committee, 202/224-5375.

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. JEFFORDS. Mr. President, I would like to announce for information

of the Senate and the public that a hearing of the Subcommittee on Public Health, Senate Committee on Health, Education, Labor, and Pensions will be held on Wednesday, January 26, 2000, 9 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is "Gene Therapy: Promoting Patient Safety." For further information, please call the committee, 202/224-5375.

ADDITIONAL STATEMENTS

INTERSTATE WASTE BILLS

● Mr. ROBB. Mr. President, I rise today to once again address the issue of the interstate movement of municipal solid waste. This is an issue that I have been working on for over five years, Mr. President. In 1994, I proposed legislation (S. 2126) that would have authorized localities to impose reasonable limits on imports of municipal solid waste from other states. That legislation did not pass, and even though most communities now negotiate compensation from landfills that imports waste, they negotiate with no real authority to power. In 1997, I re-introduced that bill (S. 448). In 1999 during the 106th Congress, and working with Senator WARNER, I introduced new language that I had hoped would spur discussion and perhaps some creative approaches to solving this problem.

I have tried, as have many other Members including Senators WARNER, BAUCUS, Coats, SPECTER, VOINOVICH, BAYH, CONRAD, SANTORUM, of course Senator CHAFEE, to come to grips with this issue in some reasonable way. We have all tried to come up with legislation that would provide states and localities with some method of refusing the detritus from other states when it becomes an imposition, or a hazard. The Environment and Public Works Committee did have a hearing last summer on this issue, but unfortunately no mark up was held after that hearing. All of our efforts, singly and in concert, have had little effect.

As of today Virginia remains the second largest importer of waste in the US, with the level of waste imported increasing from approximately 2.8 million tons in 1997 to 4.6 million tons in 1998. The figures for 1999 are not in yet but we can safely assume that they are higher still. On May 29th 1996, Mayor Giuliani and Governor George Pataki announced that in December of 2001 the Fresh Kills landfill will close. Fresh Kills remains the point of disposal for much of New York City's waste. Let me quote from a 1997 report prepared by the Congressional Research Service on this looming closure.

How the city will replace Fresh Kill's capacity is unclear. At present, there are few options other than an expanded recycling program and out-of-state disposal. A 1996 report for the city's Department of Sanitation concluded that, given current disposal sites, the city would consume virtually all of the available disposal capacity located within a 365-mile radius.